

LIONEL Z. GLANCY (#134180)
ROBERT V. PRONGAY (#270796)
JOSHUA L. CROWELL (#295411)
GLANCY PRONGAY & MURRAY LLP
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160
Email: jcrowell@glancylaw.com

BETH A. KASWAN (*pro hac vice*)
DEBORAH CLARK-WEINTRAUB (*pro hac vice*)
AMANDA F. LAWRENCE (*pro hac vice*)
SCOTT+SCOTT, ATTORNEYS AT LAW, LLP
The Helmsley Building
230 Park Avenue, 17th Floor
New York, NY 10169
Telephone: (212) 223-6444
Facsimile: (212) 223-6334

*Attorneys for Lead Plaintiff Police and Fire Retirement
System of the City of Detroit and the Class*

[Additional counsel appear on signature page.]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

POLICE AND FIRE RETIREMENT)	Case No. 13-cv-00945-VC
SYSTEM OF THE CITY OF DETROIT,)	
Individually and on Behalf of All Others)	[PROPOSED] ORDER GRANTING
Similarly Situated,)	PLAINTIFF'S UNOPPOSED MOTION
)	FOR DISTRIBUTION OF CLASS
Plaintiff,)	SETTLEMENT FUND
)	
vs.)	Hearing Date: September 21, 2017
)	Time: 10:00 a.m.
ROSEMARY A. CRANE, PATRICK D.)	Location: Courtroom 4, 17th Floor
SPANGLER, and EPOCRATES, INC.,)	Judge: Hon. Vince Chhabria
)	
Defendants.)	
)	

1 Plaintiff Police and Fire Retirement System of the City of Detroit (“Plaintiff”), having filed
2 an Unopposed Motion for Distribution of Class Settlement Fund, this Court having considered all
3 the papers filed in connection with such motion and having a hearing thereon, and good cause
4 appearing:

5 IT IS HEREBY ORDERED that:

- 6 1. The Plan of Distribution is approved as fair and reasonable;
- 7 2. The administrative determinations of Kurtzman Carson Consultants LCC (“KCC”)
8 accepting claims as set forth in the Distribution Affidavit of Michael Joaquin dated July 25, 2017,
9 (the “Joaquin Affidavit”), including claims postmarked after May 13, 2016 through and including
10 July 14, 2017, are approved and such claims are accepted;
- 11 3. The administrative determinations of KCC rejecting the claims, indicated on Exhibit
12 B-3 to the Joaquin Affidavit are approved and such claims are rejected; and any claims received after
13 July 14, 2017, are, and shall be, rejected;
- 14 4. KCC shall be paid the additional sum of \$53,127.98 from the Settlement Fund for the
15 balance of its fees and expenses incurred, and to be incurred, in connection with services performed,
16 and to be performed, by KCC in administering and distributing the Settlement Fund;
- 17 5. The balance of the Net Settlement Fund (after deducting payments previously allowed
18 and those approved herein) shall be distributed to the eligible Claimants listed on Exhibits B-1 and
19 B-2 to the Joaquin Affidavit, in accordance with the Distribution Plan;
- 20 6. The payments to be distributed to the accepted Claimants shall bear the notation
21 “CASH PROMPTLY; VOID AND SUBJECT TO RE-DISTRIBUTION IF NOT CASHED 90
22 DAYS AFTER ISSUE DATE.” Lead Counsel and KCC are authorized to take appropriate actions
23 to locate and/or contact any eligible Claimant who has not cashed his, her, or its distribution within
24 said time;
- 25 7. If there is any balance remaining in the Settlement Fund after six months from the
26 dates of the distribution of the Settlement Fund (whether by reason of tax refunds, uncashed checks,
27 or otherwise), any such balance shall be reallocated among and distributed to Authorized Claimants

1 in an equitable fashion, if logistically feasible and economically justifiable and, after any such
2 reallocation (or if no such reallocation is undertaken), any remaining balance shall be donated to Bay
3 Area Legal Aid, a 501(c)(3) non-profit organization;

4 8. All persons involved in the review, verification, calculation, tabulation, or any other
5 aspect of the procession of the claims submitted herein, or otherwise involved in the administration
6 or taxation of the Settlement Fund, including Lead Counsel and KCC, are hereby released and
7 discharged from any and all claims arising out of such involvement and all Class members, whether
8 or not they are to receive payment from the Settlement Fund, are barred from making any further
9 claim against the Settlement Fund or any of the Released Persons beyond the amount allocated to
10 them, pursuant to this Order;

11 9. KCC is hereby authorized to discard paper or hard copies of the Proof of Claim forms
12 and supporting documents, no less than one year after the distribution of the Net Settlement Fund to
13 eligible Claimants, and electronic or magnetic media data, no less than three years after the
14 distribution of the Net Settlement Fund to the eligible Claimants; and

15 10. This Court retains jurisdiction over any further application or matter which may arise
16 in connection with this action.

17 **IT IS SO ORDERED.**

18
19 DATED: _____, 2017

20 _____
21 THE HONORABLE VINCE CHHABRIA
22 UNITED STATES DISTRICT JUDGE
23
24
25
26
27